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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You are wisdom without end, mercy without limit, and strength beyond resistance. Lord, we glorify Your Name.

Today, lead our lawmakers around the obstacles that hinder them from accomplishing Your purposes. Lord, guide them around the stumbling blocks of resentment, pessimism, and unbelief that impede legislative effectiveness. Help our Senators to live to honor You. Fill their hours with Your redeeming radiance and their hearts with Your peace. May they work to advance the influence of Your Kingdom.

We pray, in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 15, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

VIOLENCE AGAINST ASIAN AMERICANS

Mr. SCHUMER. Madam President, yesterday, an overwhelming bipartisan majority of Senators voted to move forward on Senator HIRONO and Senator DUCKWORTH's anti-Asian hate crimes bill. I was pleased the vote was so substantial, 92 to 6. Rarely do you see 92 Senators agree to move forward with any piece of legislation. But if there was ever a topic that deserves a strong showing of bipartisan support, it is standing up to bigotry and racism against a particular group of Americans.

Today, we will continue to work on a bipartisan agreement regarding amendments. I have committed to start the process with the bipartisan Moran-Blumenthal amendment. I understand my Republican colleague from Maine has some modifications to the bill, which we welcome, and those negotiations are proceeding afoot. I expect the Republican leader and I, in consultation with the relevant committees, will be able to figure out an appropriate number of reasonable, germane, and non-gotcha amendments for the Senate to consider.

We are working with Senators MORAN, GRASSLEY, and COLLINS in a very bipartisan way, and we should be able to wrap up this bill next week. By doing so, the Senate will deliver a pow-

erful message to Asian Americans that their voices are heard, their concerns are felt, and that their government will take swift, decisive action to protect them. They are not alone.

Before I move on, I just want to say to my Republican colleagues: This is how the Senate can work, even though it is closely divided. When there is a pressing issue, like the rising tide of anti-Asian violence, the Senate can act quickly and in a bipartisan way to address it.

We don't need to always distrust the other party. This bill was never intended to be a messaging bill or gotcha legislation. This bill is like a drive straight down the middle of the fairway—well-timed, modest, unobjectionable.

At the end of the day, we can achieve a result that has both substantive and symbolic importance: substantive because we are going to adjust the focus of the Justice Department to better respond to anti-Asian hate crimes and symbolic because both parties are standing up to deliver a message that racism and bigotry have no place—no place—in America. That is an undeniably good result.

NOMINATION OF VANITA GUPTA

Mr. SCHUMER. Madam President, on another, less happy, matter, this afternoon the Senate will need to go through a rare procedure to discharge a nomination from the Judiciary Committee: Ms. Vanita Gupta to serve as Associate Attorney General.

The daughter of immigrants from India, Ms. Gupta is the first civil rights attorney and the first woman of color to ever be nominated for Associate Attorney General, the third ranking official at the Department of Justice. Her public track record is nothing short of exemplary.

In her very first case after law school, Ms. Gupta won the release of several African Americans who had

• This “buller” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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been wrongly convicted by all-White juries in Texas, clients who eventually won a pardon from Texas Governor Rick Perry. She continued her work at the ACLU, where she launched a bipartisan criminal justice reform effort, before going on to lead the Civil Rights Division of the Justice Department under President Obama.

Despite her sterling credentials, some of my Republican colleagues on the Judiciary Committee would have you believe that Ms. Gupta is some hair-raising, leftwing radical. In her hearing, Ms. Gupta was unfortunately subjected to a mind-numbingly repetitious line of questions about whether or not she supports the police or wants to decriminalize all drugs.

A conservative judicial organization launched a national ad campaign to smear her nomination. It was disgraceful. Just yesterday, a Republican Senator on the Judiciary Committee grilled another DOJ nominee, Kristen Clarke, over an obviously satirical piece she published for her college newspaper.

The political right seems to relish trying to score political points by connecting every Justice Department to hot-button partisan issues, whether or not they have any relevance, sometimes to the point of absurdity. And in the case of Ms. Gupta, the accusations of radicalism are especially false.

Ms. Gupta has worked with stakeholders and legislators from all corners, including a number of Republican Senators, during various criminal justice reform efforts. She has been endorsed by—listen to this—the National Fraternal Order of Police. Let me repeat that so my colleagues hear it. She has been endorsed by the National Fraternal Order of Police, as well as the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, and the National Sheriffs' Association. It is making the decrying that she is a crazy leftwing radical just absurd, and you wonder how and why they come to that conclusion.

Vanita Gupta will make an outstanding Associate Attorney General. The Senate should discharge her nomination from the Judiciary Committee this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

U.S. SUPREME COURT

Mr. McCONNELL. Madam President, time and again, prominent Democrats show they are no longer content to work within the ground rules and norms of our institutions. They prefer to threaten the institutions themselves.

We have seen it in Presidential elections when Democrats say our democracy is sacrosanct when they win but illegitimate and broken if Republicans win.

We have seen it with the Senate's rules. Democrats just spent 4 years not only praising but using the legislative filibuster. But now that they hold the majority, they say it has actually been intrinsically evil all along and must be scrapped.

We are seeing it right now with voting regulations, where the mere fact that sometimes Republicans win elections has Democrats wanting to rewrite all 50 States' election laws right here in Washington and turn the Federal Election Commission into a partisan body.

And then there is the judiciary. In recent years, we have seen the Democratic leader stand on the steps of the Court and threaten that specific Justices "won't know what hit them" if they didn't rule the way he wanted. We have seen a number of Democratic Senators send a threatening brief suggesting the Court might need to be "restructured" if its rulings upset liberals.

Last week, President Biden, who was marketed to the country as a moderate and institutionalist, jumped in with both feet. He set up a pseudo-academic commission to study the merits of packing the Supreme Court. It is just an attempt to clothe this transparent power play in fake legitimacy.

But alas, the far left cannot even wait for the fake theatrics of the fake study to play out. Today, Democrats in the Senate and the House have announced they will once again threaten judicial independence from the steps of the Court. They are introducing a bill to add four new seats to the Supreme Court so that Democrats can pack the Court, destroy its legitimacy, and guarantee the rulings that liberals want.

Across the ideological spectrum, top jurists have been outspoken on what a terrible idea Court packing would be. The late liberal icon, Ruth Bader Ginsburg, explicitly warned against Court packing saying: "If anything would make the Court appear partisan, it would be that." "Nine seems to be a good number"—Justice Ginsburg.

Justice Stephen Breyer reaffirmed his own opposition just last week. The public, by the way, agrees. They see through this discredited concept. One survey late last year showed that a clear majority of Americans opposed packing the Supreme Court.

But the farthest left activists aren't interested in the common good. They want power. And the same Democrats and the same corporate media that

spent the last 4 years hyperventilating and declaring a new constitutional crisis was under way every 30 seconds seem to be perfectly content to play along.

Now, if Republicans had introduced a bill to add four Supreme Court seats for the last President to fill, there would have been weeks of wall-to-wall outrage on every newspaper and cable TV channel nonstop. Now it seems the main strategies are either to shrug off, look the other way, or to actively play along and somehow lend credence.

It is not about whether this insane bill becomes law. Part of the point here is the threats themselves. The left wants a sword dangling over the Justices when they weigh the facts in every case. As the Democratic leader threatened just 2 years ago, Democrats want the Justices to know that they will "pay the price" for rulings that Democrats don't like.

The left wants these swords dangling over the Senate and State legislators and independent judges. The threats are the point. The hostage-taking is the point. And responsible people across the political spectrum have an absolute duty to denounce this.

(The remarks of Mr. McCONNELL pertaining to the introduction of S. 1133 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

TRIBUTE TO KATELYN CONNER BUNNING

Mr. McCONNELL. Now, Madam President, on one final matter, over the years, a lot of talented Kentuckians have joined my team at the start of their careers. I have gotten to watch them hone their skills and grow into real leaders.

Unfortunately, the privilege of working with ultratalented young people also means you often see a real all-star fly the nest, and today I have to offer a reluctant goodbye.

Katelyn Conner Bunning was from Louisville. She joined my personal office almost 11 years ago. She has done just about every job there is, from answering phones to mastering policy issues.

For the last 4 years, I have relied on her extensively as my legislative director. Katelyn has been a key adviser to me, a role model to junior staffers, a key link between my leadership office and my Kentucky-focused staff. Who better to help me deliver for the Commonwealth than the daughter of a former Mr. Kentucky Basketball?

Along the way, some of the trickiest issues facing the Bluegrass have landed on Katelyn's desk: securing retired miners' pensions and healthcare, revitalizing abandoned coalfields, strengthening Kentucky schools and helping students succeed, delivering certainty for Kentucky farmers while opening new doors for industrial hemp, even protecting kids' health by raising the minimum tobacco purchase age to 21.